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Roach “A Promising Late Spring for Charter Damages: *Ward v. Vancouver*”
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Stephen Vladeck “The New National Security Canon” (2012)
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Doucet-Boudreau v. Nova Scotia [2003] 3 S.C.R. 3383

Canada (Prime Minister) v. Khadr [2010] 1 S.C.R. 44407

Roach “Constitutional Remedies in Canada” 2nd ed at 12.470-10.835 and
15.760-15.950437

Sandra Liebenberg “Socio-Economic Rights” (2010) pp 407-438453